

AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawing includes Figure 3. This sheet, which includes Figure 3 is new.

Attachment: New Sheet

REMARKS

Claims 1-5, 7, 8, 10-14, 17-26, 29-31, 35-38, and 41-47 have been amended to clarify the subject matter regarded as the invention. Claims 1-5, 7, 8, 10-14, 17-26, 29-31, 35-38, 41-49, and 51-53 are pending.

The drawings have been objected to under 37 CFR 1.83(a). Figure 3 has been added to overcome the objection. The specification has been amended to reflect Figure 3.

The abstracted has been objected to by the examiner. The abstract has been amended to overcome the objection.

Claims 1-5, 7, 8, 10-14, 17-26, 29-31, 35-38, 41-49, and 51-53 have been rejected under 35 USC 112. Appropriate claims have been amended to overcome the rejection.

The Examiner has rejected claims 1-5, 7, 8, 10-14, 17-26, 29-31, 35-38, 41-49, and 51-53 under 35 USC 103(a). Boreczky teaches a user can manually enter metadata that indicates the user's subjective evaluation, but Boreczky does not teach a user specifying a time value relative to a non-contemporaneous mark. Additionally, confidence score of Boreczky is associated with **automatic techniques** for generating metadata, whereas the confidence level recited in claim 1 is associated with the **certainty of the user**. Boreczky recites:

“Because automatic techniques for generating metadata for media features do not always work reliably, the metadata itself is not always easy to interpret, and the metadata rarely positively indicate the absolute presence or absence of a feature in a media file, automatically derived metadata is preferably mapped to a corresponding confidence score. The confidence score is thus intended to convey to a user, in an understandable form, the probability of a feature's existence in the media file” (5:64-6:5).

Neither Kwoh, Boreczky, and Purdy, either singularly or in combination, teaches specification of “a time value relative to the marking time of the non-contemporaneous mark specified,” and marking data associating the non-contemporaneous mark with the recording data obtained at a marked time “relative to the marking time by the specified time value,” wherein “the confidence level is associated with the specified time value relative to the marking time” as amended in

claim 1. Support for the amendment can be found, with limitation, on page 14, line 16 to page 15, line 24. As such, claim 1 is believed to be allowable.

Claims 1-5, 7, 8, 10-14, 17-26, 29-31, 35-38, and 41-44 depend from claim 1 and are believed to be allowable for the same reasons described above.

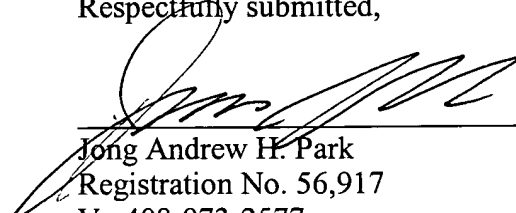
Neither Kwoh, Boreczky, and Purdy, either singularly or in combination, teaches identifying "a specified time value relative to the marking time of the non-contemporaneous mark," and recording data obtained at a marked time "relative to the marking time by the specified time value," wherein the confidence level is associated with the specified time value relative to the marking time as amended in claim 45. As such, claim 45 is believed to be allowable.

Claims 46-49, and 51-53 depend from claim 45 and are believed to be allowable for the same reasons described above.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

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Jong Andrew H. Park
Registration No. 56,917
V 408-973-2577
F 408-973-2595

VAN PELT, YI & JAMES LLP
10050 N. Foothill Blvd., Suite 200
Cupertino, CA 95014